ONE CENT.

WASHINGTON, D. C., MONDAY, AUGUST 10, 1914-FOURTEEN PAGES.

# NEWMAN CITED FOR ALLEGED CONTEMPT

Cause Friday Why He Should Not Be Punished.

JUDGE STAFFORD ACTS ON FRIZZELL'S PETITION

sedeas Bond to Restore Him to Office Pending Appeal.

The petition of Mr. Frizzell was pre sented to the court by Attorneys Ar thur A. Birney and Neale & England, counsel for the taxpayer. It ader, but that in disregard of the ercise the functions of the office.

The petitioner declares Mr. Newman

has relied on a supersedeas bond as re-storing him to the office of Commissioner pending the action of the District Court of Appeals on a review of judgment of ouster. The efficacy of the bond is attacked by Mr. Frizzell, who explains to the court that it can-not have the effect claimed for it by Attorneys Raiston & Richardson, counsel

or Mr. Newman.
Corporation Counsel Syme has ren-red an opinion, it is said, advising sbursing Officer Wilson that he could oney Mr. Newman's salary, holding the supersedeas bond sufficient to stay the ouster of the Commissioner.

### Court Peruses Authorities.

Before signing the rule to show cause Justice Stafford perused carefully a short brief prepared by Attorney Birney, setting forth the authorities, on which he relied in asking the court to

cite the Commissioner for contempt.

The petition of Mr. Frizzell states "You The petition of Mr. Frizzell states "Your relator avers and charges and so the fact is that Oliver P. Newman, in defiance of said judgment, has wholly disregarded the same and has ever since the rendition thereof continued to act as if he were a Commissioner of the District of Columbia and to concern himself as such in the official business of the said office and to intermeddle with the liberties, privileges, franchises of said office and to exercise the powers thereof as he did before the rendition of said judgment, and falsely assuming and pretending to be a Commissioner of the District of Columbia, has issued pretended official orders as such Commissioner; has given orders and instructions to clerks and officials subordinate to the Commissioner and has demanded and received salary as Commissioner, relying on a supersedeas bond in the penalty of \$200.

"Your relator is advised and so avers the sanges bond did not vascate, annul

"Your relator is advised and so avers the appeal bond did not vacate, annul or suspend the operation and effect of the ouster judgment or restore the said Newman to the office of Commissioner and that in yet assuming to be such Commissioner and to discharge the functions of such office the said Newman is in contempt of this honorable court and bf its said judgment and that he should be punished therefor."

### Claims Judgment Self-Executing.

The point relied on by Attorney Birney in attacking the power of the ap-peal bond to keep Mr. Newman in office is that the judgment of ouster is declaratory and self-executing, needing no writ to carry it into effect. The only power of the supersedeas bond, it is suggested, is to stay further pro dition in which they were when the appellate court can hear the parties on

appellate court can hear the parties on the questions involved.

As the ouster judgment was self-acting, it is argued, Mr. Newman was automati-cally out of office on its signing, and as the supersedeas bond could only maintain the condition existing at the time it was signed he was out of office and so re-mains. The bond could not restore him, it is urged, because then it would change the existing status

the existing status.

A case in Nebraska is cited in the brief ings in error." Mr. Birney calls the court's attention to the absence of such statute in this jurisdiction. He cites several other cases and also text book statements to support his claim that Mr. Newman is out of office and by remaining therein is in contempt of court.

### SYMPATHIZE WITH GERMANY.

### Resolutions Adopted by Irish Volunteers at New York Meeting.

NEW YORK, August 9 .- Resolution expressing sympathy with Germany in the present war were adopted at a meeting in Celtic park today in connection with the annual field day of the 1st Regiment of Irish Volunteers. Several thousand persons attended The regiment carried a German flag. The resolutions extended "sympathy" to the 'German emperor and declared the Irish people would welcome the landing in Ireland of a German army. "We await an opportunity to take a military part in the conflict," it was added.

# SIMPLE SERVICES FOR MRS. WILSON

Commissioner Must Show Rites in East Room Precede Departure of Funeral Train for Rome, Ga.

> SPECIAL CAR NEEDED FOR FLORAL TRIBUTES

Taxpayer Attacks Efficacy of Super- | Federal and District Government Offices Closed as Mark of Respect to President's Wife.

Simplicity, for which she expressed a board of District Commissioners, was desire, marked the funeral services for cited today for alleged contempt of Mrs. Woodrow Wilson, wife of the court. Justice Stafford of the District President of the United States, in the Supreme Court on a petition of Wil-liam J. Frizzeli, the taxpayer who is O'clock this afternon. The presence of testing the eligibility of Mr. Newman, issued a rule on the Commissioner to Senate and House headed by the Vice show cause Friday why he should not President and the Speaker, and the be adjudged in contempt of the ouster judgment rendered July 7, and why he judgment rendered July 7, and why ne should not be punished for such con- National Capital and the machinery of government, shared with sympathy the sorrow of its chosen head.

Besides the representatives of the legislative and executive departments of found to be a "usurper" and was ousted from the office of District Comcourt's decree he has continued to exgroup of less than 200 persons. Gov. Fielder of New Jersey and Mrs Fielder arrived early today to attend

the funeral. They were among the few outsiders to be present at the services

### Coffin Surrounded by Flowers.

The mahogany coffin, covered with gray broadcloth, was taken from the room in which Mrs. Wilson died to the east room and there surrounded by a profusion of beautiful flowers sent from all parts of the country. Lilies of the valley and roses filled

the room with their fragance. With the President and his daughters, Miss Margaret Wilson, Mrs. Mc-Adoo and Mrs. Sayre, were Secretary McAdoo, Francis B. Sayre and Prof. Stockton Axson, Mrs. Wilson's brother who arrived here early today after a race across the continent from Oregon

to be present at the funeral. the family a place had been reserved for the members of the cabinet White House, all of whom Mrs. Wilson had befriended by simple acts of kind-ness and thoughtfulness, had a special part of the room assigned to them.

No music was arranged for the service and Rev. Sylvester Beach of Princeton

the opening verse from the Scriptures.
"In My Father's house are many mansions: if it were not so I would have
told you. I go to prepare a place for
you. I will not leave you comfortless:

I will come to vol."

you. I will not leave you comfortless: I will come to you."
The members of the Senate committee headed by Vice President Marshall, gathheaded by Vice President Marshall, gathered in the marble room of the Capitol to drive to the White House together. Speaker Clark and the other members of the House committee, which included the senior member of each state delegation, also met at the Capitol to attend the funeral in a body.

### No Honorary Pallbearers.

There were no honorary pallbearers. The White House attendants who bor the body of Mrs. Wilson to the funera carriage were Forrest H. Purks, John F Jamieson H F Hutton John Bramlet licemen assigned to duty within the

Both houses of Congress were in recess until tomorrow, and all government departments and the District building were closed at 1 o'clock, and will be again tomorrow afternoon. All flags in the departments and the District building were closed at 1 o'clock, and will be again tomorrow afternoon. All flags in the city on public buildings and private homes and stores were at half-staff.

As the body was conveyed to the special train at the Union station there followed the undertaker's carriage, a closed automobile, in which were seated President Wilson and his three daughters. At the train they watched the transfer of the body to the car, and then returned to the White House to accompany the funeral party to the train. Remaining with the body at the train were Joseph Wilson, the President's brother, and Dr. George Howe, his cousin. Since the death of Mrs. Wilson members of the family have sat through the long vigils of the night with the body, the President taking his turn with the others, and tonight, as the special train speeds through the south, the body will have its guard.

### Special Train for Trip.

Wilson will be buried tomorrow afternoon beside her father and mother, is Myrtle Hill cemetery, will be made on a special train which leaves the Union station at 4:35 o'clock this evening. Those in the party will include the President, Miss Wilson, Mr. and Mrs. Sayre, Secretary and Mrs. McAdoo, Prof. Axson, J. R. Wilson, Dr. George Howe Dr. Cary T. Grayson and Secretary Tu multy. James Woodrow, a cousin of the tanburg. S. C., and Miss Althea S

REACH PORT IN SAFETY.

Russian and British Steamers Cross
Ocean to Halifax.

HALIFAX, N. S., August 10.—The Russian steamer Dwinsk, from Libeu, with passengers, arrived off the harbor late last night and anchored. The British cable steamer Mackay Bennett arrived from Queenstown. Neither steamer sighted any German cruiser.

The Mackay Bennett, after learning that war had been declared extinguished most of her lights and came at full speed for this port.

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(Continued on Second Page.)



### FIRST FRUITS OF EUROPE'S WAR.

## FRENCH LOSE HEAVILY IN GERMAN SKIRMISHES

Paris Reports Fighting Along Entire Front-Both Sides Reinforced—Kaiser's Troops Flood a Valley.

PARIS, August 10.—A statement is Sainte Marie are not specifically given in sued by the war department at a late thour last night says that numerous skirmishes are taking place along the entire front of the French army. One clash with the Germans was violent, and the losses on both sides were serious.

The official report, which confines itself to declaring that they were serious. The wounded French and German soldiers were taken to the French fortress of Epinal for treatment.

A French aeropiane which ascended during the engagement was repeatedly fired at, the officer who was acting as observer of the Ferman movements receiving a bullet in the hip. The pilot of the machine, however, brought him forcements, and that the French are safely to the ground and he was able

the German troops are receiving reinbeing strengthened. ridges of the Vosges mountains. Aero-

forcements, and that the French are being strengthened.

A battle began Saturday evening on the ridges of the Vosges mountains. Aeroplanes took part. The French troops, after a desperate encounter, obtained possession of the mountain passes of Bonhomme and Sainte Marie. Then Sunday morning when the fighting was resumed they took a position dominating Sainte Marie aux Mines.

The French losses in the taking of the machine, however, brought him to the was able to return to Belfort, whither the aeropiane also was sent for repair.

The German troops inundated the valley of the Seille, hoping by this means to stop the advance of the French, but the quantity of water was not sufficient and the French troops were able to continue their march.

It is announced that the list of German suicides in France has been increased by the death of several women, who became despondent because they were under the necessity of leaving the day morning when the fighting was re-

## LONDON EXPECTS SOON TO HEAR JAPAN HAS ENTERED THE FRAY

"An all-night cabinet conference and activity in the navy department has strengthened the popular belief that Japan is about to take an active part in the war. A pronouncement by the govern

## Warships in Orient.

PEKING. August 10.-Whether Japan will participate in an attack on the Ger-

From Shanghai reports were received today that the British Pacific fleet had passed toward the north, accompanied by two French cruisers.

### Germans Molest Japanese Shipping.

TOKIO, August 10.-The German fleet Russian steamer Riszan, carrying Britmerchant men to the refuge of Japaentire Japanese shipping in the orient will participate in an attack of the very man colony of Tsingtau is a question gravely concerning British subjects and other foreigners in China. It is believed here that serious "conversations" are proceeding between Tokic and London to determine the future status of Tsingtau.

German cruisers are said to be searching the Yellow sea and causing British, if yellow sea and causing British, French and Russian vessels to remain in port.

## BELGIANS AND GERMANS BATTLE **NEAR HOLLAND-BELGIAN BOUNDARY**

AMSTERDAM, via London, August 10. dering on the Dutch province of Lim —A number of wounded Germans were burg. They are now engaged with the brought to Maasticht from Monck vil- Belgian army, which has taken its posi-

lage. An engagement is taking place at Eben, near the boundary between Belgium and Holland.

Maasticht is filled with refugees, who

Maasticht is filled with refugees, who tell horrifying stories of their experiences at the hands of the Germans.

A dispatch to the Antwerp Handelsbad from Maasticht states that the Germans have received reinforcements and completely occupy the Belgian territory bor-

# **ESSEX CAPTURES**

British Cruiser Taking German Ship to Bermuda as Prize, Two Reports Say.

CENSORSHIP MAKES IT

Packet Manager Tells of Rumor.

urces today came a report to New liner Kronprinz Wilhelm had been captured by the British cruiser Essex and taken to Bermuda as a prize. The liner Narragansett reported having heard a manager of the Royal Mail Steam Packet, whose ships run to Bermuda said he had heard a similar report, and that he had every reason to believe the where he had heard it, but it was be lieved that the British consul was his authority. Rigorous censorship is be ing enforced in Bermuda, and no con firmation of the report could be obtained at Hamilton.

A cryptic dispatch from the correspondent of the Associated Press at Bermuda indicated he had some news which he would like to communicate, but could not on account of the censorship. It was in reply to a message informing him of the reported capture of the Kronprinz Wilhelm by the Essex.

### Named for Crown Heir.

The Kronprinz Wilhelm, named in honor of the heir to the German throne, was built in 1901 at the Vulcan works in Stettin, Germany, and launched in May, 1902. She is 663 feet long, of sixty-six-foot beam, 21,300 tons displacement and 30,000 horsepower. She has a speed of twenty-three knots one of the fastest and largest vessels 1.715 passengers and a crew of 552. British tank steamer Narragansett, in today from Rotterdam, were informed by a sailor of the Narragansett's crew that the North German Lloyd liner Kronprinz Wilhelm had been captured by the British cruiser Essex and that the Essex was taking her to Hamilton, Bermuda.
The sailor said a wireless message

The sailor said a wireless message last Saturday from the Essex to the station in Bermuda, intercepted by the Narragansett, told of the capture.

North German Lloyd officials doubted the story. No word, they said, had been received from the liner.

The Kronprinz Wilhelm sailed from New York last Tuesday, heavily laden with coal, ostensibly for Bremen. It was reported but not confirmed, that she intended to meet the German cruiser Dresden at sea and replenish her coal supply.

party.

The Duke and Duchess of Connaught in Egypt, and on the Red river expedition in Canada. He is a British field marshal and has at various times held the military commands of Bombay, Ireland, Aldershot and Gibraltar.

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# KAISER AT FRONT; BATTLE LINE SET IN SWITZERLAND

France May Now Declare War on Austria Because of **Gathered Troops.** 

## **GRAND DUKE OF TUSCANY BRINGS 30,000 TO BORDER**

Will Reinforce Germans at Istein Who Are Massing in the Hills Following Defeat in Alsace.

the Exchange Telegraph Company from arrived at Aix-la-Chapelle to join his

way to the Belgian campaign or to the Berlin in a motor car yesterday for

It is not known whether he is on his

the Alsatian frontier. The Daily Mail's Rome correspondent adds that, according to dispatches from Basel, Switzerland, the Germans have evacuated Sankt Ludwig, in Alsace four miles northwest of Basel, and Franco-Swiss frontier.

A dispatch to the Times from Bern. Switzerland, says 30,000 Austrian troops have concentrated near Basel, and that German and French troops also are near the Swiss frontier, and a big battle may

### France Demands Explanation.

It is announced here that the French government having reason to believe that part of the Austrian mobilization is directed against the French frontier, the minister for foreign affairs yesterday expressed to the Austrian ambassador who is still in Paris, the desire for in-formation regarding the intentions of the Austrian government as soon as possi-

Austrian government as soon as possible.

The Austro-Hungarian ambassador was still in London today and the British government seems disposed to leave the initiative to Austria-Hungary in the question as to whether war is to be declared between the two countries.

The delay of the French government in asking Austria-Hungary to declare her intentions is understood in London to have been due to the fact that the French fleet in the Mediterranean was engaged in convoying Algerian troops to France. France, therefore, was not ready to cope with the situation in case the reply of Austria-Hungary proved unsatisatiory, but, upon the completion of the transportation of French troops yesterday, the note of inquiry was addressed to the Austro-Hungarian ambassador in Paris. Dispatches from Rome state that forty-eight trainloads of Austrian troops from the Tyrol arrived yesterday at Leopoldshoehe, in Baden, to the northm the Tyrol arrived yesterday at opoldshoehe, in Baden, to the north-st of Basel, Switzerland. They were their way to Alsace to assist the

DIFFICULT TO VERIFY

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Cormans.

The Rome correspondent of the Exchange Telegraph Company forwards a dispatch from Basel, Switzerland, saying that the Austrian troops arrived there by way of Constance. They comprise 30,000 men of the 14th Corps under command of the Grand Duke of Tuscany, which were withdrawn from tyrolTyrol to prevent them being sent against the Servians.

### Germans Massing on the Hills.

They will reinforce the German troops at Istein, where the Germans are massing on the hills and in the York that the North German Lloyd fortifications, following the French suc cess in Alsace.

An official statement issued at mid night in Paris says numerous skirmish have occurred on the frontier, but that no pitched battle has taken place.

A dispatch to the Daily Telegraph from Brussels says that Germany is mobilizing another million of men, who include those of the Landstrum for the invasion of France.

### French Occupy Kolmar.

It is unofficially reported that Kolmar city forty miles southwest of Strass burg, in Alsace-Lorraine, has been occupied by the French.

Kolmar, also spelled Colmar, is a city with a population of 30,000, on the Sil! river, and almost directly north of Muelhausen, the city which the French are said to have occupied Saturday. Kolmar was ceded to France by the peace of Ryswick in 1697, and restored to Germany by the treaty of Frankfurt in 1871.

The Paris correspondent of the London Daily Telegraph has sent the following dispatch to his paper:

"All reports agree on the intense enthusiasm of the troops, who hurled themselves recklessly on the enemy with bayonets in the battles at Altkirch and Muelhausen.

hausen.

"A big cavalry encounter has occurred
on the plateau east of the Meuse, probably at Woevre, in the departments of
Meuse and Meurthe-et-Moselle. It is reported that the fight resulted favorably
for our allies.

### German Advance Halted

The net result of the operations, far as is known, is that the German ad rane as is known, is that the German activance has been stopped on the line of the Meuse, and they have been outflanked it Belgium by the advancing French masses Similarly the Germans are strategically outflanked by the French advance into Alsace. Thus the hostile flanks are menaced and their front is seriously contented.

"The arrival of the British troops is anxiously awaited by France and Belgium in view of the imminence of a decisive encounter between the French and German armies."

Seized an Aeroplane Factory.

### The French today were in face of the outskirts of the forest Hardt, in

DUKE OF CONNAUGHT TO SUPERVISE

CANADIAN ARMY ORGANIZATION

OTTAWA, Ontario, August 10.—The
Duke of Connaught, governor general of
Canada, will take personal supervision of
the organization of the Canadian army
division which is being raised for service abroad.

The Duke and Duchess of Connaught
will leave their home at Rideau Hall,
Ottawa, and go to Valoartier, twenty
miles trom Quebec, where the Canadian

her coal supply.

Canadian Rumor.

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The report was given some credence,
here in view of the announcement by
the Canadian government, made at Ottawa last night, that the Essex had advised the Bermuda station that she was
bringing in a prize. The name of the
captured vessel was not disclosed in
the government's announcement.

Since the beginning of the war the
Essex has been cruising between Bermind and Halifax. She was at Halifax
is reported that the French are pursuled into battalions and regiments. A
camp is being prepared for the royal
division which is being raised for service abroad.

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# **BELGIANS AND ALLIES** HALT GERMAN FORCES; LIEGE FORTS INTACT

French Troops Have Come Up and Teuton Occupation of Town Not Strategically Important.

## GUNS COMMAND THE ROADS OF POSSIBLE MOVEMENTS

A dispatch from Rome to the Daily Offensive Now to Be Taken by Opponents of Kaiser on Berlin in a motor care William left Simultaneous and Concerted Plan of Campaign.

### THE WAR SITUATION TODAY.

Official reports from France give no definite details of the strength of the French turning movement in Alsace, near the Swiss frontier, where Gen. Joffre is believed to be in command.

Austrian troops have been hurried there to the aid of the Germans, and an important battle is believed to be imminent. Indications are that another forward movement of the main

French force is in preparation near Metz. Aside from the flanking movement through Belgium by which the French assume the German army was trying to get to the rear of the great French fortresses on the frontier, indications were today that a strong German advance is to be made

on France by way of Luxemburg. The London Daily Telegraph's Brussels correspondent says that Germany is mobilizing 1,000,000 of the Landsturm or

final reserve. German troops occupy the town of Liege, but not the surrounding forts, which were still holding out today, according to Belgian reports.

A lull in the fighting around Liege was announced from Brussels, which city expects that the next battle will occur when the allied forces have completed plans to take the offensive against the German troops. The German cruisers Goeben and Breslau have evaded their

British and French pursuers and have arrived in the Adriatic. An Austrian fleet was reported proceeding from Pola to succor Ships reaching New York today report hearing wireless messages that the North German Lloyd steamer Kronprinz

Wilhelm had been captured by the British cruiser Essex in the

LONDON, August 10.-Messages received here today in official quarters from the Belgian general staff assert that the occupation of the town of Liege by the German troops has not had the slightest

influence on the strategic situation. Information from the front conrms a report that the German troops have ceased their advance by the valley of the Ourthe. They are said to have retired on the reserves and to be throwing up defensive works. The German offensive movement to the north of Liege is said to be developing.

It is declared that so long as the ring of forts around Liege remains intact as it still is, the guns command three of the principal roads by which the Germans can advance. This, it is pointed out, makes it impossible for the Germans under the present circumstances to receive supplies or ammunition.

Every line of railroad between Liege and the German frontier is alleged to have been destroyed, and the Belgian troops are said to have blown up every bridge, culvert and tunnel.

The Belgian legation here declared at 10 o'clock this morning in conection with the siege of Liege: "Up to the present everything is all right at Liege. The forts

### are still holding out."

FRENCH TROOPS HAVE JOINED. The French troops have made connection with the Belgians

A telegram from Charleroi, Belgium, to the Daily Mail, dispatched on Sunday night, says a force of French troops arrived in time to participate in the success of Gen. Leman's Belgian division over the German troops investing Liege.

"The French succeeded in reaching the town of Liege in time work behind the Germans and cut off their retreat," the cor-

'The Germans are said to have lost 8,000 killed and wounded. while 1,700 of them were captured. I give the figures under re-

The French and Belgian armies will take the offensive simultaneously in conformity with a concerted plan of campaign.

tion is expected to be the arrival of the Belgian main army, reported to be advancing rapidly from Louvain in the northwest to attack the Germans occupying the town of Liege.

The Belgian general staff today says

the German forces are going backward before the advance of French troops,

Main Army Coming Up.

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The Belgian general staff today says the German forces are going backward main army companies.

The main army Coming Up.

mans, expecting to take Liege in a few hours, brought with them only sufficient food for a few days and little ammunition, their plan being to rush Liege and make it their base of operations.

The same authority states that the German assertion of the capture of 4,000 Belgian prisoners is baseless, and adds that not a single Belgian soldier remains in the town of Liege, as they are all quartered in the forts.

### Weak From Lack of Food.

before the advance of French troops, a considerable effective force of which has got into contact with the German advance guard. It is reported that the entire territory to the south of the Meuse has been cleared of German soldiers.

The Belgian general staff declares it has received information that the German troops were engaged at Liege. They are said to have been so weakened by lack of food as to be unable effectively to attack the forts. On the other hand, it is